

AN ORDINANCE BY

6-5
00-0-0264

CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON A PORTION OF MASON PARK WEST N.E. FROM CLUB DRIVE N.E. TO A POINT 151.39 FEET TO THE EAST AND THENCE TO A POINT 124.01 FEET TO THE SOUTHEAST, LYING AND BEING IN LAND LOT 12 OF DISTRICT 17, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a petition from the abutting property owner to abandon Mason Park West N.E. from Club Drive N.E. to a point 151.39 feet to the east and thence to a point 124.01 feet to the southeast; and

WHEREAS, the abutting property owner has met the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and their responsibility to maintain.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: An abutting property owner has petitioned for a street abandonment of a portion of Mason Park West and has paid a fee of 2,000 dollars as specified by Section 138-5(v) of the Code of Ordinances of the City of Atlanta.

SECTION 2: That the petitioner for the street abandonment has met all of the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta.

SECTION 3: That a portion of Mason Park West N.E. from Club Drive N.E. to a point 151.39 feet to the east and thence to a point 124.01 feet to the southeast, lying and being in Land Lot 12 of District 17, Fulton County, as shown on the attached Exhibit "A" is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 4: That the City of Atlanta hereby abandons the aforementioned street.

SECTION 5: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

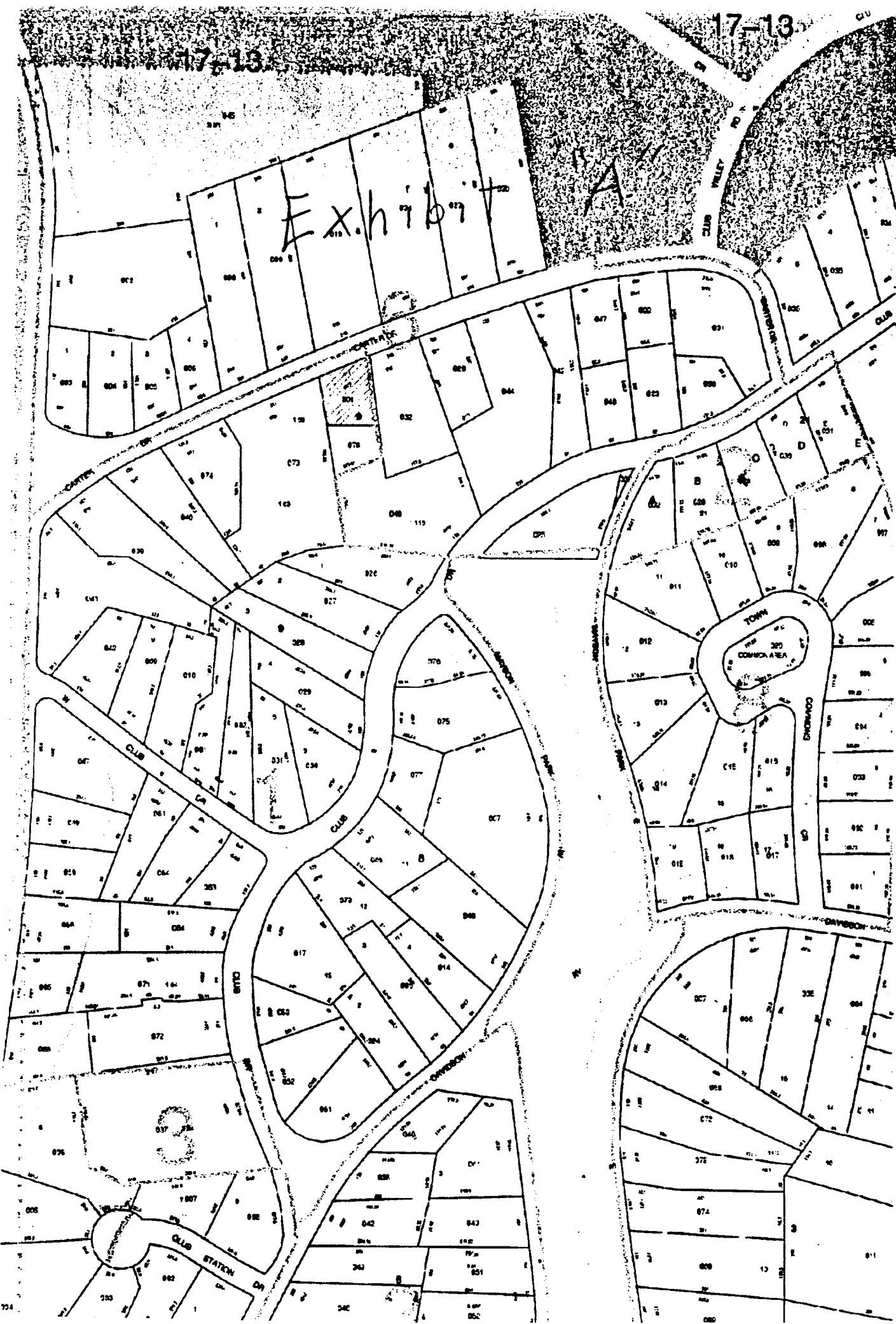
SECTION 6: That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01 524001 G55001.

SECTION 7: That the Mayor is hereby authorized to execute a quitclaim deed for said streets upon receipt of payment in the amount of the appraised value.

SECTION 8: That all funds received in excess of the cost of advertising appraisal shall be allocated to the construction of sidewalks in the City of Atlanta. Account No. 3P02 491 102 M22F03349999.

SECTION 9: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Exhibit A



TRANSMITTAL FORM FOR LEGISLATION

To: Gregory Pridgeon, Mayor's Office

From: Department of Public Works

Contact (Name): HERBERT HOLMES-6768 *HH*

Commissioner's Signature: *[Signature]*

Director's Signature: *[Signature]* *6237*

Committee(s) of Purview: C.U.C.

Committee Deadline:

Committee Meeting Date(s): 2/15/2000

City Council Meeting Date: 2/21/2000

CAPTION: AN ORDINANCE TO ABANDON A PORTION OF MASON PARK WEST, N.E., FROM CLUB DRIVE, N.E., TO A POINT 151.39 FEET TO THE EAST AND HENCE TO A POINT 124.01 FEET TO THE SOUTHEAST, LYING AND BEING IN LAND LOT 12 OF DISTRICT 17, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

BACKGROUND/PURPOSE/DISCUSSION: THE ABUTTING PROPERTY OWNER MADE A REQUEST TO ABANDON A PORTION OF MASON PARK WEST, N.E.. THE PETITIONER HAS MET ALL OF THE REQUIREMENTS OF SECTION 138-5(a) OF THE CODE OF ORDINANCES.

FINANCIAL IMPACT (if any): N/A

Mayor's Staff Only

Received by Mayor's Office

2/10/00
(Date)

Reviewed by:

HP
(Initials)

2/18/00
(Date)

Submitted to Council

(Date)

Action by Committee:

Approved _____
Substitute _____

Adversed _____
Referred _____

Held _____
Other _____

Amended _____